

CHANGE REQUEST COVER SHEET

Change Request Number: 13-06

Date Received: 10/16/2012

Title: SAVES Program Brand Name Mandatory Justifications

Name: Eugene Scott

Phone: 202-493-4639

Policy OR Guidance: Guidance

Section/Text Location Affected: Procurement Guidance T3.8.6

Summary of Change: The changes revise the review and approval process for 'brand-name mandatory' procurements using SAVES. The changes include increasing the threshold for legal counsel review of brand-name mandatory orders placed by a Contracting Officer from \$10K to \$150K. Legal counsel and SAVES COR review are required for brand-name mandatory orders greater than \$10K placed by purchase card holders or personnel with a delegation of procurement authority. In addition, minor modifications are made to the waiver request form and the current notification of purchase form will no longer be used and will be removed from FAST.

Reason for Change: The increase in the dollar threshold will avoid unnecessary delays in the awarding of brand-name mandatory procurements.

Development, Review, and/or Concurrence: AAP-110, AGC-500, Aeronautical Center contracting, AAQ division contracting managers, AAP-600 Strategic Acquisitions Division.

Target Audience: Contracting Officers, Purchase card holders, personnel with delegations of procurement authority and CORs who use the SAVES program.

Potential Links within FAST for the Change: None

Briefing Planned: No

ASAG Responsibilities: Approve

Potential Links within FAST for the Change: None

Links for New/Modified Forms (or) Documents (LINK

1) http://fast.faa.gov/ProcurementToolboxForms.cfm?CFID=5679236&CFTOKEN=97492740&p_title=Functions

Links for New/Modified Forms (or) Documents (LINK 2)

Links for New/Modified Forms (or) Documents (LINK 3)

SECTIONS EDITED:

Procurement Guidance:

T3.8.6 Strategic Sourcing

Strategic Sourcing

Section 2 : Strategic Sourcing for the Acquisition of Various Equipment and Supplies (SAVES) Program [\[Old Content\]](#)[\[New Content\]](#) [\[RedLine Content\]](#)

Procurement Guidance:

T3.8.6 Strategic Sourcing

Strategic Sourcing

Section 4 : SAVES Ordering for Office Supplies, Office Equipment, and IT Hardware [\[Old Content\]](#)[\[New Content\]](#) [\[RedLine Content\]](#)

SECTIONS EDITED:

Section 2 : Strategic Sourcing for the Acquisition of Various Equipment and Supplies (SAVES) Program

Old Content: Procurement Guidance:

T3.8.6 Strategic Sourcing

Strategic Sourcing

Section 2 : Strategic Sourcing for the Acquisition of Various Equipment and Supplies (SAVES) Program

a. SAVES contracts provide the FAA with a simplified process for obtaining commonly used products and services at prices associated with volume buying, while maintaining or improving the quality of purchases and vendors' service levels. These products include non-NAS information technology (IT) hardware (enterprise servers and peripherals), Commercial-Off-the-Shelf (COTS) software, video teleconferencing equipment and support, general office supplies, office equipment (printers, copiers and multifunctional devices), courier services (overnight mail), and express and ground delivery services. In addition, this process helps agencies optimize performance, minimize price, increase achievement of soci-economic acquisition goals, evaluate total life cycle management cost, improve vendor access to business opportunities, and otherwise increase the value of each dollar spent.

b. Under SAVES, FAA entered into indefinite delivery contracts or blanket purchase agreements (BPAs) with commercial vendors providing products and services at pre-negotiated pricing or discounts. The SAVES contracts and agreements are continuously being monitored to ensure that FAA is obtaining quality products and services at competitive prices. Notify the Process Engineering Division, AFC-200, if you encounter any performance issues. Quarterly reviews will be conducted and, if necessary, the contract terms will be renegotiated before an option year is exercised on an existing contract. Ordering offices place orders directly with SAVES contractors using their Government Purchase Card or through a Contracting Officer using a purchase order.

c. Purchases of products or services available through a SAVES contract from other sources must only be considered if there would be a significant adverse impact to air traffic control operations or in the case of a bonafide emergency. In this case, the purchasing organization must

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report any purchase outside of the SAVES contracts to the Office of Financial Controls, Process Engineering Division (AFC-200) on the SAVES Notification of Purchase Form. The SAVES Notification Form should be submitted within 30 days of the purchase and include a detailed list of products or services purchased, vendor's name, and reason for not making the purchase from a SAVES contract. The notification of a purchase outside of a SAVES contract will assist AFC in identifying valid levels of non-compliance with SAVES contracts. If after reviewing the SAVES Notification Form, the Director, Financial Controls disagrees that an emergency or adverse impact on air traffic control operations necessitated making a purchase from a source other than the appropriate SAVES contract vehicle, the Office of Financial Controls will initiate a discussion with the purchasing organization to avoid future disagreements.

d. Unless a purchase meets one of the two conditions discussed in subparagraph 1.(c), purchases must not be made outside of the SAVES contracts unless the purchasing organization submits and receives approval of a waiver using the SAVES Waiver Request Form. The SAVES Waiver Request Form should be submitted to the Process Engineering Division (AFC-200) for review and approval from the Director, Financial Controls. The waiver justification for the purchase of products and services, which are available through the SAVES contract, must include rationale other than pricing, i.e. quality of product or service.

e. Use of SAVES Office Supply and Office Equipment contracts by organizations and facilities located outside the continental United States, including Alaska, Hawaii, U.S. Territories, and foreign countries is optional. Product availability and shipping costs to these locations often make the purchase of these items locally a better value for the FAA.

New Content: Procurement Guidance:

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Section 2 : Strategic Sourcing for the Acquisition of Various Equipment and Supplies (SAVES) Program

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Acquisitions Division, (AAP-600), if you encounter any performance issues. Quarterly reviews will be conducted and, if necessary, the contract terms will be renegotiated before an option year is exercised on an existing contract. Ordering offices place orders directly with SAVES contractors using their Government purchase card or through a CO using a purchase order.

c. Purchases of products or services available through a SAVES contract from other sources must only be considered if there would be a significant adverse impact to air traffic control operations or in the case of a bonafide emergency. If an item available through SAVES is purchased from another source due to an adverse impact to air traffic control operations or a bona fide emergency, the basis must be recorded with the order and/or purchase card documentation.

d. Unless a purchase meets one of the two conditions discussed in subparagraph 2.(c), purchases must not be made outside of the SAVES contracts unless the purchasing organization submits and receives approval of a waiver using the SAVES Waiver Request Form. The SAVES Waiver Request Form should be submitted to the Strategic Acquisitions Division (AAP-600) for review and approval. The waiver justification for the purchase of products and services, which are available through the SAVES contract, must include rationale in addition to pricing, (e.g., availability, quality of product or service, etc.)

e. Use of SAVES Office Supply and Office Equipment contracts by organizations and facilities located outside the continental United States, including Alaska, Hawaii, U.S. Territories, and foreign countries is optional. Product availability and shipping costs to these locations often make the purchase of these items locally a better value for the FAA.

Red Line Content: Procurement Guidance:

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Section 2 : Strategic Sourcing for the Acquisition of Various Equipment and Supplies (SAVES) Program

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that FAA is obtaining quality products and services at competitive prices. Notify the ~~Process Engineering~~Strategic Acquisitions Division, ~~AFC(AAP-200600)~~, if you encounter any performance issues. Quarterly reviews will be conducted and, if necessary, the contract terms will be renegotiated before an option year is exercised on an existing contract. Ordering offices place orders directly with SAVES contractors using their Government ~~Purchase Card~~purchase card or through a ~~Contracting Officer~~CO using a purchase order.

c. Purchases of products or services available through a SAVES contract from other sources must only be considered if there would be a significant adverse impact to air traffic control operations or in the case of a bonafide emergency. ~~In this case, the purchasing organization must report any purchase outside of the SAVES contracts to the Office of Financial Controls, Process Engineering Division (AFC 200) on the SAVES Notification~~If of Purchase~~an item Form. available~~ ~~The~~through SAVES Notification Form should be submitted within 30 days of the purchase and include a detailed list of products or services ~~is~~ purchased, ~~vendor's name, and reason for not making the purchase from a SAVES contract. The notification of a purchase outside of a SAVES contract will assist AFC in identifying valid levels of non-compliance with SAVES contracts. If after reviewing the SAVES Notification~~another Form, the Director, Financial Controls ~~source~~ disagrees that ~~due to~~ an emergency or adverse impact ~~on~~to air traffic control operations ~~necessitated making a purchase from~~or a source other than the appropriate SAVES ~~bona~~ contract vehicle ~~fide emergency~~, the Office of Financial ~~basis~~ Controls will initiate ~~must~~ a discussion ~~be recorded~~ with the purchasing organization ~~order to~~and/or avoid future disagreements purchase card documentation.

d. Unless a purchase meets one of the two conditions discussed in subparagraph ~~4.2~~.(c), purchases must not be made outside of the SAVES contracts unless the purchasing organization submits and receives approval of a waiver using the SAVES Waiver Request Form. The SAVES Waiver Request Form should be submitted to the ~~Process~~Strategic Acquisitions ~~Division Engineering Division (AFC AAP-200600)~~ for review and approval ~~from the Director, Financial Controls~~. The waiver justification for the purchase of products and services, which are available through the SAVES contract, must include rationale ~~other than~~in addition to pricing, ~~i~~(e.g., availability, quality of product or service, etc.)

e. Use of SAVES Office Supply and Office Equipment contracts by organizations and facilities located outside the continental United States, including Alaska, Hawaii, U.S. Territories, and foreign countries is optional. Product availability and shipping costs to these locations often make the purchase of these items locally a better value for the FAA.

Section 4 : SAVES Ordering for Office Supplies, Office Equipment, and IT Hardware

Old Content: Procurement Guidance:

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Section 4 : SAVES Ordering for Office Supplies, Office Equipment, and IT Hardware

- a. SAVES contracts have been competed, comply with laws prescribing mandatory sources (such as Javitts Wagner O'Day (JWOD) vendors) for certain products, conform to environmentally friendly and energy efficient purchasing, and include prices determined to be fair and reasonable.
- b. As requirements become known, ordering offices may place orders against existing SAVES contracts. Ordering offices do not need separate justification to use a SAVES contract, nor should they publicly announce or compete a planned order. Ordering details for each SAVES contract are located on the FAA Employee Website.
- c. The terms and conditions of a SAVES basic contract governs individual orders. Additional terms and conditions are not required and should not be included in individual orders.
- d. If an FAA requirement is for a specific "brand name" product available from only one manufacturer, and no other equal product will be satisfactory, the ordering office must document the rationale for the brand name product, request a waiver, and, if the purchase is over \$10,000, obtain the legal concurrence and Contracting Officer's (CO) approval of the rationale.
- e. Ordering offices may order on-line, by telephone or fax. Payment must be made with either Government purchase card or purchase order. Purchase orders must be signed by a CO. Purchasing from the SAVES contracts does not change the existing policy and guidance for purchase card or purchase order purchasing processes. All purchasing provisions and restrictions in the purchase card and purchase order policies are applicable when purchasing from the SAVES contracts. Purchases through the SAVES contracts do not change existing policy and guidance to the FAA personal property order.
- f. SAVES contractors are to deliver products as expeditiously as possible. Acceptable levels of service delivery are specified in SAVES contracts. FAA users can order standard delivery or one of several expedited delivery alternatives. Products or services delivered faster than the standard delivery will incur increased delivery charges, as specified in SAVES contracts.

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Section 4 : SAVES Ordering for Office Supplies, Office Equipment, and IT Hardware

- a. SAVES contracts have been competed, comply with laws prescribing mandatory sources (such as AbilityOne vendors) for certain products, conform to environmentally friendly and energy efficient purchasing, and include prices determined to be fair and reasonable.
- b. As requirements become known, ordering offices may place orders against existing SAVES contracts. Ordering offices do not need separate justification to use a SAVES contract, nor should they publicly announce or compete a planned order. Ordering details for each SAVES contract are located on the FAA employee website.

c. The terms and conditions of a SAVES basic contract governs individual orders. Additional terms and conditions are not required and should not be included in individual orders.

d. *Brand Name-Mandatory Products.*

(1) *Orders by 1102 Series Contracting Officers.* For brand name-mandatory acquisitions with a total value of \$150,000 or less procured through the use of SAVES, a rational basis for the brand-name mandatory determination must be documented by the program official using the single source justification template in AMS Procurement Guidance T3.2.2.4 Appendix 1 and approved by the CO. For brand name-mandatory acquisitions with a total value over \$150,000 procured through the use of SAVES, a rational basis for the brand-name mandatory determination must be documented by the program official using the single source justification template in AMS Procurement Guidance T3.2.2.4 Appendix 1, and approved by legal counsel and the CO. (see AMS Procurement Guidance T3.2.2.8A(5)).

(2) *Orders by Purchase Cardholders or Personnel with Delegations of Procurement Authority (DPA).* For brand-name mandatory acquisitions, the ordering office must document the rational basis for the brand-name mandatory determination, and for acquisitions over \$10,000 must obtain approval by legal counsel and the SAVES Contracting Officer's Representative (COR) using the single source justification template in AMS Procurement Guidance T3.2.2.4 Appendix 1.

e. Ordering offices may order on-line, by telephone or fax. Payment must be made with either Government purchase card or purchase order. Purchase orders must be signed by a CO. Purchasing from the SAVES contracts does not change the existing policy and guidance for purchase card or purchase order purchasing processes. All purchasing provisions and restrictions in the purchase card and purchase order policies are applicable when purchasing from the SAVES contracts. Purchases through the SAVES contracts do not change existing policy and guidance to the FAA personal property order.

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c. The terms and conditions of a SAVES basic contract governs individual orders. Additional terms and conditions are not required and should not be included in individual orders.

d. ~~If Brand~~ *Name-Mandatory FAA Products.*

(1) requirement Orders is for by 1102 a Series Contracting Officers. specific For "brand name"-mandatory product available from only acquisitions with a total one value of manufacturer \$150,000 and no other equal product will be satisfactory or less procured through the use of SAVES, a rational basis for the ordering brand-name office mandatory determination must document be documented by the rationale program for official using the single source justification template in AMS Procurement Guidance T3.2.2.4 Appendix 1 and approved by the CO. For brand name-mandatory acquisitions with a total value over product \$150,000 procured through the use request of SAVES, a waiver rational basis for the brand-name mandatory determination must be documented by the program official using the single source justification template in AMS Procurement Guidance T3.2.2.4 Appendix 1, and approved by legal counsel and the CO. (see AMS Procurement Guidance T3.2.2.8A(5)).

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